

09-31506

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June 3, 2002

BOX CPA

Commissioner for Patents Washington, D.C. 20231

#16 CPA JH Brunson 6/7/02

Re:

Application of Toshiro HAYAKAWA, Toshiaki FUKUNAGA, Mitsugu WADA

SEMICONDUCTOR LASER AND METHOD OF MANUFACTURING THE

This is a request for filing a Continuation Application under 37 C.F.R. § 1.53(d) (continued prosecution application (CPA)) of pending prior Application No. 09/315,068 (Confirmation No. 5982) filed on May 20, 1999 of Toshiro HAYAKAWA, Toshiaki FUKUNAGA, and Mitsugu WADA, entitled SEMICONDUCTOR LASFP MANUFACTURING THE SAME.

This application is being filed mail to payment of the issue for expressive of the issue for exp FUKUNAGA, and Mitsugu WADA, entitled SEMICONDUCTOR LASER AND METHOD OF

This application is being filed under 37 CFR § 1.53(d). The prior application, in which no payment of the issue fee, abandonment, or termination of proceedings has occurred, is hereby expressly abandoned as of the filing date of this new application. It is understood that secrecy under 35 USC § 122 is hereby waived to the extent that if information or access is available to any one of the applications in the file jacket, be it either this application or a prior application in the same file jacket, the Patent and Trademark Office may provide similar information or access to all the other applications in the same file jacket.

The prior application is assigned to Group Art Unit 2828

A Preliminary Amendment is being submitted herewith.

The power of attorney appears in the original papers of the prior application.

Priority is claimed from:

Country

Application No

Filing Date

Japan

139623/1998

May 21, 1998

The priority document(s) were filed in parent Application No. 09/315,068.

The Government filing fee is calculated as follows:

Total claims

\$18.00 =

\$.00

Independent claims Base Fee

\$.00 \$740.00

TOTAL FILING FEE

\$740.00

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740.00 52



Transmittal Letter, CPA of Application 09/315,068 June 3, 2002 Page 2

A check for the statutory fee of \$740.00 is attached. You are also directed and authorized to charge or credit any difference or overpayment to Deposit Account No. 19-4880. The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 and any petitions for extension of time under 37 C.F.R. § 1.136 which may be required during the entire pendency of the application to Deposit Account No. 19-4880. A duplicate copy of this transmittal letter is attached.

In accordance with 37 C.F.R. § 1.133 and MPEP §§ 706.07(b), 713.01, 713.02, Applicants hereby requests a <u>personal interview</u> with the Examiner in charge of this Application prior to the Examiner taking further action on this case. Applicants respectfully request that the Examiner contact the undersigned by phone at (202) 857-2249 upon receipt of this Request to arrange a meeting time.

The application is timely filed.

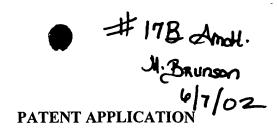
Respectfully submitted,

SUGHRUE MION, PLLC

David A. Klein

Registration No. 46,835





IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Toshiro HAYAKAWA, et al.

CPA of Application No.: 09/315,068

Confirmation No.: 5982

Filed: May 20, 1999

For:

Group Art Unit: 2828

Examiner: Jeffrey N. Zahn

SEMICONDUCTOR LASER AND METHOD OF MANUFACTURING THE SAME

PRELIMINARY AMENDMENT

Commissioner for Patents Washington, D.C. 20231

Sir:

Prior to examination, please amend the above-identified application as follows:

IN THE CLAIMS:

Please add the following new claims:

(New) A semiconductor laser as defined in Claim 1, wherein a thickness of the

upper cladding layer is greater than zero, but less than 1 µm.